



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

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**MEMO ENDORSED**

DIVISION OF STATE COUNSEL  
LITIGATION BUREAU

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July 10, 2017

**BY ECF**

Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601-4150

**Re: Porter v. Bunch, 16-cv-5935 (KMK)**

Dear Judge Karas:

This Office represents Defendants Bunch, Gascho, Pappas, Liciaga, Sorge, Cole, and Waith in the above-referenced case. I write with the consent of Plaintiff's counsel to respectfully request a modification to the briefing schedule for Defendants' partial motion to dismiss the second amended complaint. *See* ECF No. 47. Specifically, the parties propose the following schedule:

Defendants' Motion due on July 21, 2017;  
Plaintiff's response due on August 25, 2017; and  
Defendants' Reply due on September 8, 2017.<sup>1</sup>

The grounds for this request are that undersigned counsel is the sole attorney assigned to this case, and has impending deadlines due in several cases on or before July 17, 2017, including responsive motions and voluminous discovery responses. Moreover, undersigned counsel just received Plaintiff's initial requests for discovery, and the additional time would allow counsel to begin gathering information responsive to the requests in a timely manner. This is the first such request for an adjustment to the motion schedule.

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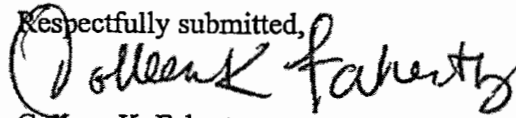
<sup>1</sup> The current motion schedule is set as follows: Defendants Motion due July 14, 2017; Plaintiff's response due August 18, 2017; and Defendants' reply due on September 1, 2017. ECF No. 47.

Hon. Kenneth M. Karas

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Respectfully submitted,



Colleen K. Faherty

Assistant Attorney General

cc: Ryan Lozar, *counsel for plaintiff*

The revised briefing schedule  
related to the partial motion  
to dismiss is granted.

So ordered.



7/11/17